

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-cv-66-F**

<b>LOUIS RACICK</b>	)	
<b>Plaintiff,</b>	)	<b><u>PLAINTIFF'S MOTION</u></b>
	)	<b><u>TO STRIKE AFFIRMATIVE</u></b>
<b>v.</b>	)	<b><u>DEFENSES PURSUANT</u></b>
	)	<b><u>TO RULE 12(f) OF THE</u></b>
<b>DOMINION LAW ASSOCIATES, a</b>	)	<b><u>FEDERAL RULES OF</u></b>
<b>Division of Pender Coward;</b>	)	<b><u>CIVIL PROCEDURE</u></b>
<b>T. Camille French</b>	)	
<b><u>Defendants.</u></b>	)	

**MOTION TO STRIKE DEFENDANTS' AFFIRMATIVE DEFENSES**

**Relief Sought**

Plaintiff moves the court for an order striking Defendants' THIRD, FIFTH, SIXTH, SEVENTH, EIGHTH, NINTH, TENTH, TWELFTH, and THIRTEENTH Affirmative Defenses from their Answer (D.E. #5) pursuant to FED. R. CIV. P. 12(f).

**Grounds for Relief**

The grounds for this Motion are explained in the accompanying Memorandum of Law in support of this Motion.

**Record Supporting Motion**

This Motion is based on this Notice of Motion, exhibits and case law submitted herewith, and the pleadings and papers on file in this action and upon further evidence that may be presented at the time of oral hearing on this matter, if any is held. This Motion is made pursuant to Local Rules 7.1 and 7.2.

Respectfully submitted this the 30th day of April, 2010,

MARTIN ATTORNEY AT LAW, PLLC

By: /s/Angela O. Martin

Angela O. Martin, Esq.

NC Bar 34951

Attorney for Plaintiff

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<b>Plaintiff,</b>	)
	)
<b>v.</b>	)
	)
<b>DOMINION LAW ASSOCIATES, a</b>	)
<b>Division of Pender Coward;</b>	)
<b>T. Camille French</b>	)
<b><u>Defendants.</u></b>	)

**CERTIFICATE OF SERVICE**

I certify that on April 30, 2010, I electronically filed the foregoing Motion Strike Defendants' affirmative defenses with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Caren Enloe  
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Respectfully submitted this the 30th day of April, 2010,

MARTIN ATTORNEY AT LAW, PLLC

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